

Last revised 8/1/15

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:

PAULETTE WRIGHT

Case No.:

16-13321-RG

Judge:

GAMBARDELLA

Chapter:

13

Debtor(s)

Chapter 13 Plan and Motions

☒ Original

☒ Modified/Notice Required

☐ Discharge Sought

☒ Motions Included

☐ Modified/No Notice Required

☐ No Discharge Sought

Date: November 30, 2016

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS WILL BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 85.00 per month to the Chapter 13 Trustee, starting on
March 1, 2016 for approximately 36 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property:

Description:

Proposed date for completion: _____

☒ Loan modification with respect to mortgage encumbering property:

Description: 185 Dodd Street, East Orange, New Jersey 07017

Proposed date for completion: April 30, 2016

d. ☒ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
MARIE ANN GREENBERG, ESQ. Chapter 13 Standing Trustee	Administrative Priority	\$276.00
AVRAM D. WHITE, ESQ., Counsel to the Debtor	Administrative Priority	\$1,350.00 legal fee \$100.00 paid prior to filing, \$1,250.00 via Chapter 13 Plan

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
PNC Bank N.A.	First mortgage secured to debtor's principal residence located at 185 Dodd Street, East Orange, New Jersey	\$7,300.00 estimated	N/A	\$2,500.00 remainder to be paid via loan modification.	\$2,797.66 subject to contractual changes in payment amount

b. Modification

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
M and T Bank	Debtor's residence located at 185 Dodd Street East Orange New Jersey	\$15,000.00. Second mortgage	\$125,000.00	\$170,848.00	\$0.00 none to be wholly stripped off.	N/A	\$0.00
		\$16,000.00. Third mortgage	\$125,000.00	\$185,848.00	\$0.00 none to be wholly stripped off	N/A	\$0.00

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

e. Secured Claims to be Paid in Full Through the Plan:

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims

a. Not separately classified allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ _____ to be distributed *pro rata*
- ☐ Not less than _____ percent
- ☒ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis For Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
New Jersey Anesthesia	Debtor's primary residence located at 185 Dodd Street, East Orange, New Jersey	Civil judgment	\$1,000.00 estimated	\$125,000.00	\$1,000.00	\$201,848.00	\$1,000.00

b. Motion to Avoid Liens and Reclassify Claim From Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified
M and T Bank	Debtor's primary residence located at 185 Dodd Street East Orange New Jersey	Completely unsecured. Entire lien to be completely and totally stripped off.
City of East Orange	Debtor's primary residence located at 185 Dodd Street East Orange New Jersey	Completely unsecured. Entire lien to be completely and totally stripped off.

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☐ Upon confirmation
☒ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee commissions
- 2) Avram D. White, Esq.
- 3) PNC Bank N.A.
- 4) Unsecured creditors

d. Post-Petition Claims

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being Modified: April 5, 2016.

Explain below **why** the plan is being modified:

To address the higher mortgage claim than was originally anticipated

Explain below **how** the plan is being modified:

The plan provides for a loan modification to cure arrearage to PNC Bank N.A.

Are Schedules I and J being filed simultaneously with this Modified Plan?

☐ Yes ☒ No

Part 10: Sign Here

The Debtor(s) and the attorney for the Debtor (if any) must sign this Plan.

Date: November 30, 2016

/s/ Avram D. White

Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: November 30, 2016

/s/ Paulette Wright

Debtor

Date: _____

Joint Debtor

Certificate of Notice Page 8 of 10
 United States Bankruptcy Court
 District of New Jersey

In re:
 Paulette M Wright
 Debtor

Case No. 16-13321-RG
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
 Form ID: pdf901

Page 1 of 3
 Total Noticed: 85

Date Rcvd: Dec 01, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 03, 2016.

db
 516016927 +Paulette M Wright, 185 Dodd Street, East Orange, NJ 07017-2105
 +Advantage Assets II Inc, Attn: Pressler and Pressler, 7 Entin Road,
 Parsippany, NJ 07054-5020
 516016928 +Atlantic Health Employees FEDCU, 99 Beauvoir Avenue, PO Box 220, Summit, NJ 07902-0220
 516016929 +Atlantic Health Employees FEDCU, 100 Madison Avenue, Morristown, NJ 07960-6136
 516016930 +Atlantic Health Systems FCU, 90 Beauvoir Avenue, Summit, NJ 07901
 516016931 +Chase Bank USA, PO Box 15922, Wilmington, DE 19850-5922
 516016932 +Chase Bank USA, NA, PO Box 15922, For Notice Only, Wilmington, DE 19850-5922
 516016933 +Chase Bank USA, NA, PO Box 15922, Wilmington, DE 19850-5922
 516016934 +Chase Home Finance, PO Box 961227, Fort Worth, TX 76161-0227
 516016935 Chase Home Finance LLC, PO Box 44090, Jacksonville, FL 32231-4090
 516016936 +Chase Home Finance, LLC, 10790 Rancho Bernardo Road, San Diego, CA 92127-5705
 516016939 +City of East Orange, 44 City Hall Plaza, East Orange, NJ 07018-4500
 516016938 +City of East Orange, Water Department, 99 Grove St., East Orange, NJ 07018-4197
 516016937 City of East Orange, Tax Collector, City Hall, East Orange, NJ 07019
 516016940 Comenity Bank, PO Box 183003, Columbus, OH 43218-3003
 516016941 Comenity Bank/Avenue, P O Box 182789, Columbus, OH 43218-2789
 516016942 Comenity Bank/Dress Barn, PO BOX 183789, Columbus, OH 43218-2789
 516016943 +Comenity Bank/Victoria's Secret, PO Box 182789, Columbus, OH 43218-2789
 516016944 +Comenitybank/ Venus, 3100 Easton Square Pl, Columbus, OH 43219-6232
 516261126 Department Store National Bank, c/o Quantum3 Group LLC, PO Box 657,
 Kirkland, WA 98083-0657
 516016945 +Department Stores National Bank Macy's, 9111 Duke Blvd, Mason, OH 45040-8999
 516099399 +East Orange Water Commission, 99 S. Grove St., East Orange, NJ 07018-4108
 516016949 M & T Bank, attn: Computershare, PO Box 30170, College Station, TX 77842-3170
 516016952 +M&T Credit Corp., PO Box 4006, Buffalo, NY 14240-4006
 516172947 +Midland Funding, LLC, P.O. Box 2011, Warren, MI 48090-2011
 516016953 New Jersey Anesthesia Assoc., PO Box 0037, Florham Park, NJ 07932-0037
 516016954 +New Jersey Anesthesia Associates, Attn: Pressler & Pressler, 7 Entin Road,
 Parsippany, NJ 07054-5020
 516016955 +Officer Tara Balanche, Essex County Sheriff's Office, 50 West Market Street,
 ref number #15008865 DJ 163173-15), Newark, NJ 07102-1692
 516016956 Overlook Hospital Employees Federal Cred, 99 Beauvoir Avenue, PO Box 220,
 Summit, NJ 07902-0220
 516016957 +Overlook Hospital Employees Federal Cred, Attn: Mr. Stephen Edwards, Esq.,
 59 Forrest Rd., PO Box 321, Mount Freedom, NJ 07970-0321
 516016963 +PNC Bank, PO Box 747024, Pittsburgh, PA 15274-7024
 516016961 +PNC Bank, 300 Bellevue Parkway, Wilmington, DE 19809-3704
 516016960 PNC Bank, PO Box 15397, Wilmington, DE 19886-5397
 516016964 PNC Bank, Deposit Recovery Unit, 330 Gaither Street, Louisville, KY 40202
 516016962 PNC Bank, 300 Guthrie Street, Louisville, KY 40202
 516016965 +PNC Bank N.A., 2730 Liberty Avenue, Pittsburgh, PA 15222-4747
 516273984 +PNC Bank, National Association, 3232 Newmark Drive, Miamisburg, Ohio 45342-5421
 516016966 +PNC Mortgage, PO Box 8703, Dayton, OH 45401-8703
 516016967 +PNC Mortgage Servicing, Attn: Bankruptcy Department, 3232 Newmark Dr,
 Miamisburg, OH 45342-5433
 516016968 PNC National Bank of NJ, PO Box 8310, Philadelphia, PA 19101
 516261848 +Pinnacle Credit Services, LLC its successors and, assigns as assignee of Cellco,
 Partnership d/b/a Verizon Wireless, Resurgent Capital Services, PO Box 10587,
 Greenville, SC 29603-0587
 516016973 +Portfolio Recovery Associates, L.L.C., 287 Independence, Virginia Beach, VA 23462-2962
 516016974 +Pressler & Pressler, 7 Entin Road, Parsippany, NJ 07054-5020
 516016981 +Superior Court of New Jersey, Essex County, 465 Martin Luther King Jr. Blvd,
 Newark, NJ 07102-1774
 516016979 +Superior Court of New Jersey, Essex County Special Civil Part,
 465 Martin Luther King Jr. Avenue, For Notice Only (DC 005030 15), Newark, NJ 07102-1735
 516016980 +Superior Court of New Jersey, Essex County Special Civil Part,
 465 Martin Luther King Jr. Avenue, For Notice Only (DC 028983-09), Newark, NJ 07102-1735
 516016976 +Superior Court of New Jersey, Essex County, 50 W.Market Street,
 For Notice Only (DC 005030 15), Newark, NJ 07102-1607
 516016978 +Superior Court of New Jersey, Essex County, 50 W.Market Street,
 For Notice Only (DC 028983-09), Newark, NJ 07102-1607
 516016977 +Superior Court of New Jersey, Essex County, 50 W.Market Street,
 For Notice Only (L 012262 98), Newark, NJ 07102-1607
 516016989 +TD Bank Usa/ Target Credit Card, 3701 Wayzata Blvd, Minneapolis, MN 55416-3401
 516016984 +Target, PO Box 59317, Minneapolis, MN 55459-0317
 516016985 Target Credit Card, PO Box 660170, Dallas, TX 75266-0170
 516016986 Target Credit Services, Retailers National Bank, PO Box 1581, Minneapolis, MN 55440-1581
 516016987 +Target National Bank, PO Box 59317, Minneapolis, MN 55459-0317
 516016991 Verizon Wireless, PO Box 489, Newark, NJ 07101
 516016990 +Verizon Wireless, 2000 Corporate Drive, Orangeburg, NY 10962-2624
 516016992 Verizon Wireless, PO Box 630024, Dallas, TX 75263
 516016993 +Verizon Wireless, PO Box 17120, Tucson, AZ 85731-7120
 516016994 Victoria Secrets, PO Box 182128, Columbus, OH 43218-2128
 516016995 Victoria Secrets, PO Box 659562, San Antonio, TX 78265

District/off: 0312-2

User: admin
Form ID: pdf901

Page 2 of 3
Total Noticed: 85

Date Rcvd: Dec 01, 2016

516016996 Victoria's Secret, PO Box 659728, San Antonio, TX 78265-9728
516016997 +Victoria's Secrets, PO Box 182117, Columbus, OH 43218-2117

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
smg E-mail/Text: usanj.njbankr@usdoj.gov Dec 01 2016 23:06:55 U.S. Attorney, 970 Broad St.,
Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Dec 01 2016 23:06:53 United States Trustee,
Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
Newark, NJ 07102-5235
cr +E-mail/Text: susan.mcnulty@atlantichhealth.org Dec 01 2016 23:06:36 Atlantic Health EFCU,
99 Beauvoir Avenue, Summit, NJ 07901-3533
516016926 E-mail/Text: ebn@ltdfin.com Dec 01 2016 23:06:37 Advantage Assets II Inc,
7322 Southwest Freeway, Suite 1600, Houston, TX 77074
516057999 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Dec 01 2016 23:04:16
American InfoSource LP as agent for, T Mobile/T-Mobile USA Inc, PO Box 248848,
Oklahoma City, OK 73124-8848
516137532 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Dec 01 2016 23:04:16
American InfoSource LP as agent for, Verizon, PO Box 248838,
Oklahoma City, OK 73124-8838
516016946 +E-mail/Text: camanagement@mtb.com Dec 01 2016 23:06:37 Hudson City Savings Bank,
West 80 Century Road, For Notice Only, Paramus, NJ 07652-1405
516016947 +E-mail/Text: camanagement@mtb.com Dec 01 2016 23:06:37 Hudson City Savings Bank,
W. 80 Century Rd., Paramus, NJ 07652-1478
516016948 E-mail/Text: camanagement@mtb.com Dec 01 2016 23:06:37 M & T Bank, One M & T Plaza,
8th Floor, Buffalo, NY 14203-2399
516016950 +E-mail/Text: camanagement@mtb.com Dec 01 2016 23:06:37 M & T Mortgage, PO Box 1288,
Buffalo, NY 14240-1288
516016951 E-mail/Text: camanagement@mtb.com Dec 01 2016 23:06:37 M and T Mortgage Corp.,
Default Servicing, 6th Floor, PO Box 840, Buffalo, NY 14240
516101322 E-mail/Text: camanagement@mtb.com Dec 01 2016 23:06:37 M&T Bank, P.O. Box 840,
Buffalo, NY 14240-0840
516016969 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Dec 01 2016 23:04:41
Portfolio Recovery Associates, 120 Corporate Blvd Ste 1, Norfolk, VA 23502
516016971 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Dec 01 2016 23:05:07
Portfolio Recovery Associates, PO Box 12914, Norfolk, VA 23541
516016970 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Dec 01 2016 23:04:16
Portfolio Recovery Associates, Riverside Commerce Center, 120 Corporate Center,
Suite 100, Norfolk, VA 23502
516171440 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Dec 01 2016 23:05:07
Portfolio Recovery Associates, LLC, c/o Synchrony Bank, POB 41067, Norfolk VA 23541
516016958 +E-mail/PDF: resurgentbknofications@resurgent.com Dec 01 2016 23:04:15
Pinnacle Credit Service, Po Box 640, Hopkins, MN 55343-0640
516016959 +E-mail/PDF: resurgentbknofications@resurgent.com Dec 01 2016 22:58:16
Pinnacle Credit Services, PO Box 640, Hopkins, MN 55343-0640
516037184 E-mail/Text: bnc-quantum@quantum3group.com Dec 01 2016 23:06:40
Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788
516016982 +E-mail/PDF: gecsedirecoverycorp.com Dec 01 2016 22:58:13 Synch/jcp, 4125 Windward Plaza,
Alpharetta, GA 30005-8738
516016983 +E-mail/PDF: gecsedirecoverycorp.com Dec 01 2016 22:57:48 Synchrony Financial,
777 Long Ridge Road, Stamford, CT 06902-1247
516016988 +E-mail/Text: bankruptcy@td.com Dec 01 2016 23:06:57 TD Bank N.A., Operations Center,
PO Box 1377, Lewiston, ME 04243-1377
516245235 +E-mail/Text: bncmail@w-legal.com Dec 01 2016 23:07:00 TD Bank USA, N.A.,
C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132
TOTAL: 23

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

516016972* +Portfolio Recovery Associates, L.L.C., PO Box 12914, Norfolk, VA 23541-0914
516016975* +Pressler And Pressler, LLP, 7 Entin Road, Parsippany, NJ 07054-5020

TOTALS: 0, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 03, 2016

Signature: /s/Joseph Speetjens

District/off: 0312-2

User: admin
Form ID: pdf901

Page 3 of 3
Total Noticed: 85

Date Rcvd: Dec 01, 2016

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 30, 2016 at the address(es) listed below:

Avram D White on behalf of Debtor Paulette M Wright clistbk3@gmail.com,
adwlawofficel@gmail.com;crismateo02@gmail.com;lawworkmorris31@gmail.com
Denise E. Carlon on behalf of Creditor M&T Bank dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Drew Edwards on behalf of Creditor Atlantic Health EFCU drew@edwardslegal.com
Marie-Ann Greenberg magecf@magtrustee.com

TOTAL: 4